

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PAUL PETERY, individually and on behalf	:	
of a class of similarly situated persons,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 23-604
	:	
v.	:	
	:	
USAA CASUALTY INSURANCE	:	
COMPANY,	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW**, this 25<sup>th</sup> day of January, 2024, upon consideration of Defendant's Motion to Dismiss for Failure to State a Claim (Docket No. 15), Plaintiff's response thereto and Defendant's Reply, it is hereby **ORDERED** as follows:

1. Defendant's Motion to Dismiss is **GRANTED**;
2. Plaintiff's Amended Complaint is **DISMISSED** with prejudice; and
3. This case shall be **CLOSED**.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
Jeffrey L. Schmehl, J.